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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 ERIC CHRISTIAN,

Plaintiff,

Case No. 2:19-cv-00364-RFB-GWF

8 v.

9 CHRISTOPHER HOYE., *et al.*,

10 Defendants.

ORDER

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12 This matter is before the Court on the Plaintiff's Application to Proceed *in Forma*
13 *Pauperis* (ECF No. 1) filed on February 28, 2019 and Plaintiff's Second *Application to Proceed*
14 *in Forma Pauperis* (ECF No. 4) filed April 10, 2019.

15 The court may authorize the commencement of an action without pre-payment of fees
16 and costs or security therefor, by a person who submits an affidavit that includes a statement
17 showing the person is unable to pay such costs. 28 U.S.C. § 1915(a)(1). Once the Court reviews
18 an application to proceed *in forma pauperis* brought by an incarcerated or institutionalized
19 person, and determines that the prisoner is unable to pre-pay the filing fee, the Court will grant
20 the application and the full amount of a filing fee will be deducted overtime from the prisoner's
21 inmate trust account. 28 U.S.C. § 1915(b)(1). A complete *in forma pauperis* application must
22 include three attachments to be filed simultaneously with the application and complaint: (1) a
23 copy of the inmates trust account statement for the last six months; (2) financial certificate
24 signed by a prison official; (3) financial affidavit signed by prisoner showing an inability to
25 prepay fees and costs or give security for them. LSR1-2.

26 Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is incomplete. The
27 application consists of two handwritten pages and is missing a copy of the inmate's trust account
28 statement for the preceding six months and financial certificate signed by a prison official.

1 Similarly, Plaintiff's second application to proceed *in forma pauperis* (ECF No. 4) is permitted
2 only in state court and is therefore incorrect. Accordingly,

3 **IT IS HEREBY ORDERED** Plaintiff's Application to Proceed in *Forma Pauperis* (ECF
4 No. 1) and Plaintiff's Second Application to Proceed in *Forma Pauperis* (ECF No. 4) be **denied**,
5 without prejudice.

6 **IT IS FURTHER ORDERED** that the Clerk of the Court shall send Plaintiff the
7 approved form application to proceed *in forma pauperis* by a prisoner, as well as the document
8 entitled information and instructions for filing an *in forma pauperis* application.

9 **IT IS FURTHER ORDERED** that Plaintiff shall have until **September 6, 2019** to file
10 his completed Application to Proceed in *Forma Pauperis* or file the requisite \$400.00 filing fee.

11 **IT IS FURTHER ORDERED** that the Clerk of the Court shall retain the complaint
12 (ECF No. 1-1) but shall not file it at this time.

13 Dated this 30th day of July, 2019.

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16 GEORGE FOLEY, JR.
17 UNITED STATES MAGISTRATE JUDGE
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